

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SHANNA LOVE WILDER,

Plaintiff,

Case No. 19-cv-1878-pp

v.

ANDREW M. SAUL,

Defendant.

**ORDER REQUIRING PLAINTIFF TO FILE AMENDED MOTION FOR LEAVE
TO PROCEED WITHOUT PREPAYMENT OF FILING FEE**

The plaintiff has filed a complaint seeking judicial review of a final administrative decision denying her claim for disability insurance benefits under the Social Security Act. Dkt. No. 1. She also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 2.

To allow the plaintiff to proceed without paying the filing fee, the court first must decide whether the plaintiff can pay the fee; if not, it must determine whether the lawsuit is frivolous. 28 U.S.C. §§1915(a) and 1915(e)(2)(B)(i).

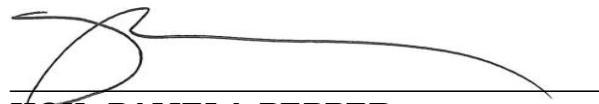
Based on the facts in the plaintiff's affidavit, the court does not have enough information to determine whether she can proceed without prepaying the filing fee. The plaintiff's affidavit indicates that she is married, but separated, she is not employed, and she has three dependent children she is responsible for supporting. Dkt. No. 2 at 1. The plaintiff lists two amounts of income (\$628 a month and \$528 a month), but does not list the source of that

income. Id. at 2. She lists expenses of \$628 per month (\$42 rent, \$586 other household expenses), id. at 2-3, so according to the figures she provides, she has \$528 per month over and above her expenses. The plaintiff has no cash on hand or in a checking or savings account, and she does not own a home, a car or any other property of value. Id. at 3-4. The court will require the plaintiff to file an amended request to proceed without prepaying the filing fee. The plaintiff should explain the source of her income and whether she does have \$528 per month that is unaccounted for on the request form she filed. The plaintiff has an attorney who should assist her with filling out and filing the amended form.

The court **ORDERS** that the plaintiff shall file an amended request to proceed without prepaying the filing fee by the end of the day on **January 17, 2020**. Failure to file the amend request by the deadline will result in denial of the motion and an order to pay the entire filing fee by a date certain.

Dated in Milwaukee, Wisconsin this 27th day of December, 2019.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge